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SECURITY COUNCIL COMMITTEE ESTABLISHED
BY RESOLUTION 661 (1990) CONCERNING
THE SITUATION BETWEEN IRAQ AND KUWAIT

NOTE VERBALE DATED 11 JANUARY 1991 FROM THE PERMANENT
REPRESENTATIVE OF DENMARK TO THE UNITED NATIONS
ADDRESSED TO THE SECRETARY-GENERAL

The Permanent Representative of Denmark to the United Nations presents his compliments to the Secretary-General and with reference to His Excellency's note dated 8 October 1990 has the honour to provide the following answers to the questionnaire attached to the said note concerning the implementation by the Government of Denmark of Security Council resolution 661 (1990).

1. Legislative framework

(a) Act No. 156/1967 on Certain International Sanctions, as amended by Act No. 228/1985. Sections 1 and 2, Act No. 267/1988, concerning the use of certain ordinances of the European Economic Community (EEC) on the import and export of goods. EEC Council Regulations No. 2340/90 and No. 3155/90 on the Iraq/Kuwait embargo.

(b) EEC Council Regulations No. 2340/90 and No. 3155/90 were enacted pursuant to Security Council resolution 661 (1990). In national legislation the following royal decrees have been enacted: Royal Decree No. 565 of 9 August 1990, as replaced by Decree No. 752 of 16 November 1990 on Certain Sanctions against Iraq and Kuwait, and Royal Decrees No. 660 and 661 of 28 September 1990 concerning Greenland and the Faroe Islands.

(c) Executive Order No. 575 of 14 August 1990 concerning certain measures regarding Kuwait.

Copies of the Danish legislation are enclosed.* The royal decrees concerning Greenland and the Faroe Islands are available only in the Danish language.

2. Control of imports or activities which would promote or are calculated to promote imports or transshipment of goods from Iraq and Kuwait

(a) The Ministry of Industry in co-operation with the Ministry of Foreign Affairs.

(b) Danish customs authorities have been duly informed. No imports will be allowed.

3. Control of exports or activities which would promote or are calculated to promote sales or supply of products and commodities to Iraq and Kuwait

(a) The Ministry of Industry in co-operation with the Ministry of Foreign Affairs.

(b) Licensing is mandatory for the exportation of commodities and products, exempted from the embargo by the Security Council.

Under Royal Decree No. 656 of 9 August 1990, export to Iraq is prohibited.

4. Control of financial or economic resources

(a) and (b) Payments and credits to Iraq or Kuwait are prohibited under Royal Decree No. 656 and Executive Order No. 575. Neither transfers of financial or economic resources nor opening of blocked accounts can be made without a special permission from the Ministry of Industry.

5. Enforcement

Penalties: Fines or imprisonment up to two years. For grave violations, imprisonment for up to four years.

Seizure and forfeiture of goods.

6. Other

(a) None.

(b) EEC Council Regulation 2340/90 calls for the termination of contracts entered into or licensing granted before 7 August 1990.

(c) Executive Order No. 575 of 14 August 1990, provides that outstanding amounts, including securities and liquid funds, belonging to the Kuwaiti State or the State of Iraq or legal or natural persons domiciled in Iraq, shall be credited to blocked accounts or safekeeping depots in Danish banks.

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* The text of the legislation may be consulted in room S-3520.